



## Community Development Department

# BISMARCK BOARD OF ADJUSTMENT MEETING AGENDA

August 7, 2014

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Tom Baker Meeting Room

4:00 p.m.

City-County Office Building

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### MINUTES

1. Consider the minutes of the July 9, 2014 meeting of the Board of Adjustment.

### REQUESTS

2. **Variance from Section 14-04-06(5) of the City Code of Ordinances (R10-Residential)(Lot Width)** – 414 North 22<sup>nd</sup> Street (Lot 5 and the north 16<sup>th</sup> feet of Lot 6, Block 26, Governor Pierce Addition)

*Christopher Herrmann is requesting a variance to reduce the required lot width for a parcel platted prior to 1953 from fifty (50) feet to forty-one (41) feet in order to convert the existing single-family dwelling into a two-family dwelling (duplex).*

Board Action:      ☐approve      ☐continue      ☐table      ☐deny

3. **Variance from Section 14-03-10 of the City Code of Ordinances (Off-Street Parking and Loading)** – part of Lot 3 less Lot A, Block 1, Prairie Hills 5<sup>th</sup> Addition (being replatted as Lot 2, Block 1, Munich Addition)

*The First State Bank of Munich and Tana Trotter, Proximal 50 Life Center are requesting a variance to reduce the required amount of off-street parking spaces from two hundred fourteen (214) off-street parking spaces to one hundred eight (108) off-street parking spaces in order to construct a multi-use building with assembly and business uses.*

Board Action:      ☐approve      ☐continue      ☐table      ☐deny

4. **Variance from Section 14-03-10 of the City Code of Ordinances (Off-Street Parking and Loading)** – Lots 3-4, Block 19, Sturgis Addition (1317 East Front Avenue)

*Chris Padilla is requesting a variance to reduce the required amount of off-street parking spaces from fifty-three (53) off-street parking spaces to four (4) off-street parking spaces in order to convert an existing building into a multi-use building with assembly and business uses.*

Board Action:      ☐approve      ☐continue      ☐table      ☐deny

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## **OTHER BUSINESS**

### **5. Other**

## **ADJOURNMENT**

- 6. Adjournment.** The next regular meeting date is scheduled for September 4, 2014.
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## BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

<b>BACKGROUND:</b>	
<b>Title:</b> 414 North 22 <sup>nd</sup> Street – Variance (Lot Width) (Lot 5 and the north 16 feet of Lot 6, Block 26, Governor Pierce Addition)	
<b>Status:</b> Board of Adjustment	<b>Date:</b> August 7, 2014
<b>Owner(s):</b> Christopher Herrmann	<b>Engineer:</b> None
<b>Reason for Request:</b> Variance from Section 14-04-06(5) of the City Code of Ordinances (R10-Residential)(Lot Width) to reduce the required lot width for a parcel platted prior to 1953 from fifty (50) feet to forty-one (41) feet in order to convert the existing single-family dwelling into a two-family dwelling (duplex).	
<b>Location:</b> In central Bismarck, along the west side of North 22 <sup>nd</sup> Street, north of East Rosser Avenue.	
<b>ADDITIONAL INFORMATION:</b>	
<ol style="list-style-type: none"> <li>1. The proposed variance request is located within a subdivision (Governor Pierce Addition) that was recorded in 1912. The property is zoned R10-Residential, single and two-family dwellings are permitted, however the minimum lot width for a parcel platted prior to 1953 is fifty (50) feet. A single-family dwelling was constructed in 1960, at that time the width of the property was forty-one (41) feet. Subsequent building permits were issued for the property, most recently in 2009 for a 28'x32' accessory building without the approval of the Board of Adjustment. As this property is located on a parcel that is less than the minimum lot width of fifty (50) feet it is considered a nonconforming use.</li> <li>2. The property is zoned R10-Residential, single and two-family residential dwellings are permitted. Single family dwellings can be converted into two-family dwellings provided all zoning and building code requirements are met. The applicant intends to submit building plans for the conversion and will be required to construct according to the current zoning requirements and building codes.</li> </ol>	
<b>APPLICABLE PROVISION(S) OF ZONING ORDINANCE:</b>	
<ol style="list-style-type: none"> <li>1. Section 14-02-03 of the City Code of Ordinances (Definitions) defines a variance as, "A device which grants a property owner relief from certain provisions of the zoning ordinance when, because of the particular physical surroundings, shape or topographical condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or desire to increase the financial return."</li> <li>2. Section 14-02-03 of the City Code of Ordinances (Definitions) defines a nonconforming use as, "The use of a building or other structure or of a tract of land which does not conform to the use or regulations of this title for the district in which it is located, either at the effective date of this title, or as a result of subsequent amendments which may be incorporated into this title. The regulations for minimum lot width are outlined in the R10-Residential zoning district.</li> <li>3. Section 14-03-09(3) of the City Code of Ordinances (Nonconforming uses)(Nonconforming Use-Additions, repair, alteration) states, "No building used for a nonconforming use shall be enlarged, extended, reconstructed, or structurally altered, unless the use is changed to one which complies with the provisions of this title." The applicant is proposing to alter the structure of the building in order to convert the existing single-family dwelling into a two-family dwelling (duplex).</li> </ol>	

(continued)



4. Section 14-04-06(5) of the City Code of Ordinances (R10-Residential)(Lot Width) states, "Each lot shall have a front property line width of not less than forty (40) feet, and in addition, shall have a width of not less than sixty (60) feet, measured along a line approximately parallel to and forty (40) feet back from the front property line. Provided, however, that on a record lot corresponding to a plat or deed recorded prior to 1953, the minimum lot width measured along the front building line may be reduced to not less than fifty (50) feet. The proposed variance is located on a record lot corresponding to a plat recorded prior to 1953; however the width of the property is forty-one (41) feet.

**FINDINGS:**

1. The need for a variance is not based on special circumstances or conditions unique to the specific parcel of land involved that are not generally applicable to other properties in this area and within the R10-Residential zoning classification.
2. The hardship is not caused by the provisions of the Zoning Ordinance.
3. Strict application of the provisions of the Zoning Ordinance would not deprive the property owner of the reasonable use of the property.
4. The requested variance is not the minimum variance that would accomplish the relief sought by the applicant.
5. The granting of the variance is not in harmony with the general purposes and intent of the Zoning Ordinance

**RECOMMENDATION:**

Staff recommends reviewing the above findings and modifying them as necessary to support the decision of the Board.

If granted, the variance must be put to use within 24 months or it shall lapse and the landowner must reapply.

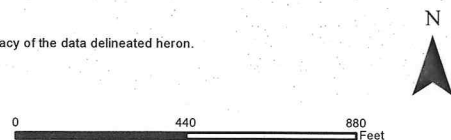


**Proposed Variance**  
**Lot 5 and the north 16' of Lot 6, Block 26**  
**Governor Pierce Addition**



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Date: 7/14/2014(hlb)

Source: City of Bismarck



JUL 11 2014

# CITY OF BISMARCK/ETA APPLICATION FOR APPROVAL OF A VARIANCE WRITTEN STATEMENT

1. Property Address or Legal Description: lot 5 + N 16' of Lot 6, Block 26 Governor Pierce Addition
2. Location of Property: ☒ City of Bismarck ☐ Extraterritorial Area (ETA)
3. Type of Variance Requested: Reduce Required lot width for a parcel platted prior to 1953 from 50' to 41' (lot width)
4. Applicable Zoning Ordinance Chapter/Section: 14-04-06(5) of City Code of Ordinance (R1D-Residential)
5. Describe how the strict application of the requirements of the Zoning Ordinance would limit the use of the property. (Only limitations due to physical or topographic features - such as an irregularly shaped, narrow, shallow or steep lot or other exceptional physical or topographic condition - that are unique characteristics and not applicable to other properties in the neighborhood are eligible for a variance. Variances cannot be granted on the basis of economic hardship or inconvenience.)

- Current lot size is 41 feet and cannot be enlarged which limits the use of the property to be a duplex, yet the house can function as a duplex.
- There have been numerous permits issued to this property, including the building of an oversized 2 car garage (prior to my purchasing the property)

6. Describe how these limitations would deprive you of reasonable use of the land or building involved and result in unnecessary hardship.

- To be zoned as a duplex, city zoning requires it to be 50 feet.
- We plan to do improvements to the home to bring it up to code and to be safer, and more livable. - Electrical, Egress windows, HVAC,
- We plan to split all utilities, so the home can be used for its intended use when I purchased the property.

7. Describe how the variance requested is the minimum variance necessary to allow reasonable use of the property.

- If the variance is granted, the property will be used as a duplex home.
- This home can function as a duplex, even though the lot cannot be made any wider.



**EXCERPTS FROM BISMARCK ZONING ORDINANCE  
RELATING TO VARIANCES  
(City of Bismarck & ETA Requests)**

14-02-03. Definitions. The following definitions represent the meanings of terms as they are used in these regulations:

*Variance:* A device which grants a property owner relief from certain provisions of a zoning ordinance when, because of the particular physical surroundings, shape or topographical condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to increase the financial return.

14-06-02. Powers and Duties.

\* \* \* \* \*

2. Variances. On appeal from an order, requirement, decision or determination made by an administrative official, the board of adjustment may vary or adjust the strict application of any of the requirements of this article in the case of an exceptionally irregular, narrow, shallow or steep lot or other exceptional physical or topographical condition, by reason of which the strict application of the provisions of the article would result in unnecessary hardship that would deprive the owner of a reasonable use of the land or building involved, but in no other case.

No adjustment in the strict application of any provisions of this article shall be granted by the board of adjustment unless it finds:

- a. That there are special circumstances or conditions, fully described in the findings of the board, applying to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or building, and do not apply generally to land or buildings in the neighborhood, and have not resulted from any act of the applicant taken subsequent to the adoption of this article, whether in violation of the provisions of the article, or not.
- b. That, for reasons fully set forth in the findings of the board, the circumstances or conditions so found are such that the strict application of the provisions of this article would deprive the applicant of the reasonable use of said land or building, and the granting of the variances is necessary for the reasonable use of the land or building, and that the variance as granted by the board is the minimum variance that will accomplish the relief sought by the applicant.
- c. That the grant of the variance will be in harmony with the general purposes and intent of this article, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- d. A variance granted under this chapter must be put into use within 24 months of the granting of the variance or it shall lapse and the landowner must reapply.





## Community Development Department

July 28, 2014

Dear Property Owner:

Please be advised that the Bismarck Board of Adjustment will be conducting a public hearing on a variance request on Thursday, August 7, 2014, at 4:00 p.m. in the Tom Baker Meeting Room, City-County Office Building, 221 North 5<sup>th</sup> Street, Bismarck, North Dakota, which may be of interest to you.

Christopher Herrmann is requesting a variance from Section 14-04-06(5) of the City Code of Ordinances (R10-Residential)(Lot Width) to reduce the required lot width for a parcel platted prior to 1953 from fifty (50) feet to forty-one (41) feet in order to convert the existing single-family dwelling into a two-family dwelling or duplex on Lot 5 and the North 16' of Lot 6, Block 26, Governor Pierce Addition (414 North 22<sup>nd</sup> Street).

A map showing the location involved in the request are enclosed for your information.

At the hearing, the Board of Adjustment will provide an opportunity for all interested persons to be heard with respect to this item. Interested persons may also submit written comments regarding this request prior to the meeting to the Community Development Department ~ Planning Division, PO Box 5503, Bismarck, North Dakota 58506-5503, fax: 701- 222-6450, or e-mail - [cobplan@nd.gov](mailto:cobplan@nd.gov).

If you have any questions or need any additional information on this request, please contact Jenny Wollmuth, the planner in our office assigned to this request, at 355-1845.

Bismarck Community Development Department - Planning Division

JW/hlb

Enc: Location Map

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**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>	
<b>Title:</b> Address to be determined -Variance (Off-Street Parking and Loading) (part of Lot 3 less Lot A, Block 1, Prairie Hills 5 <sup>th</sup> Addition, (being replatted as Lot 2, Block 1, Munich Addition))	
<b>Status:</b> Board of Adjustment	<b>Date:</b> August 7, 2014
<b>Owner(s):</b> The First State Bank of Munich (owner) Tana Trotter (applicant)	<b>Engineer/Architect:</b> Jeff Welch, Jiran Architects Lon Romsaas, Swenson Hagen & Co.
<b>Reason for Request:</b> Variance from Section 14-03-10 of the City Code of Ordinances (Off-Street Parking and Loading) to reduce the required number of off-street parking spaces from two hundred fourteen (214) off-street parking spaces to one hundred eight (108) off-street parking spaces in order to construct a multi-use building with assembly and business uses.	
<b>Location:</b> The property is located in west Bismarck along the south side of West Divide Avenue.	
<b>ADDITIONAL INFORMATION:</b>	
<ol style="list-style-type: none"> <li>The proposed building is a multi-use building that will include a fitness center, a physical therapy clinic with associated support spaces, a fitness training center, a drop of child care service and a coffee shop. According to the site plan submitted with the variance request, the maximum number off off-street parking spaces the site can provide is one hundred eight (108) off-street parking spaces. Based on requirements in the zoning ordinance and the 2012 International Building Code (IBC), staff has determined that the number of required off-street parking spaces is two hundred fourteen (214) spaces.</li> </ol>	
<b>APPLICABLE PROVISION(s) OF ZONING ORDINANCE:</b>	
<ol style="list-style-type: none"> <li>Section 14-02-03 of the City Code of Ordinances (Definitions) defines a variance as, "A device which grants a property owner relief from certain provisions of the zoning ordinance when, because of the particular physical surroundings, shape or topographical condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or desire to increase the financial return."</li> <li>Section 14-03-10(1) of the City Code of Ordinances (Off-Street Parking and Loading) states "No application for a building permit or certificate of occupancy in any zone shall be approved unless there is included with the plan for such building improvement or use, a site plan showing the required space designated as being reserved for off-street parking purposes to be provided in connection with such building improvements or use in accordance with this section; and no certificate of occupancy shall be issued unless the required facilities have been provided. All off-street parking spaces required and all driveways on private property leading to such parking areas shall be surfaced with a dustless all-weather hard surface material. Acceptable surfacing materials include asphalt, concrete, brick, cement pavers or similar materials installed and maintained according to industry standards. Crushed rock or gravel shall not be considered an acceptable surfacing material."</li> <li>Section 14-03-10 (13) of the City Code of Ordinances (Off-Street Parking and Loading)(Mixed Uses) states, "In the case of mixed uses, the total requirements for off-street parking and off-street loading space shall be the sum of the requirements of the various uses computed separately as specified in subsections 1 and 2 of this section, and the off-street parking and off-street loading space for one use shall not be considered as providing the required off-street parking or off-street loading space for any other use.</li> </ol>	

(continued)



4. Section 14-03-10(1)(g) of the City Code of Ordinances (Off-Street Parking and Loading)(Places of Public Assembly) states, "Places of public assembly, including private clubs, lodges and fraternal buildings not providing overnight accommodations, assembly halls, exhibition halls, convention halls, auditoriums, skating rinks dance halls, bowling alleys, sport arenas, stadiums, gymnasiums, amusement parks, zoos, racetracks, fairgrounds, circus grounds, community centers, libraries, museums, and all other similar places of public assembly: One space for each sixty (60) square feet of gross floor area." According to the building plans submitted with the application, the area identified as a fitness training center is 8,486 square feet. A total of one hundred forty-one (141) off-street parking spaces are required. Based on the functionality of the fitness training center, the applicant is proposing to provide fifty-four (54) off-street parking spaces. The area identified as coffee shop is 1,680 square feet. A total of twenty-eight (28) off-street parking spaces are required. Based on the functionality of the coffee shop, the applicant can accommodate the required twenty-eight (28) off-street parking spaces.
5. Section 14-03-10(1)(i) of the City Code of Ordinances (Off-Street Parking and Loading)(Office Buildings) states, "Office buildings, adult or vocational education facilities, engraving works, blueprinting, and small animal veterinary clinics, including commercial, governmental and professional buildings, except as otherwise provided for in the section: One space for each two hundred fifty (250) square feet of gross floor area." According to the building plans submitted with the application, the area identified as physical therapy clinic and associated support spaces is 8,232 square feet. A total of thirty-three (33) off-street parking spaces are required. Based on the functionality of the physical therapy clinic and associated support spaces, the applicant is proposing to provide fourteen (14) off-street parking spaces. The area identified as office leased space is 1,869 square feet. A total of eight (8) off-street parking spaces are required. Based on the functionality of the office lease space, the applicant can accommodate the required eight (8) off-street parking spaces.
6. Section 14-03-10(1)(p) of the City Code of Ordinances (Off-street Parking and Loading)(Child Care Center) states, "Child care center: One space for each employee and one space for each ten (10) children." According to the building plans submitted with the application, the area identified as the child care drop off is 1,197 square feet. A total of four (4) off-street parking spaces are required. Based on the functionality of the child care center, the applicant can accommodate the required four (4) off street parking spaces.

#### **FINDINGS:**

1. The need for a variance is not based on special circumstances or conditions unique to the specific parcel of land involved that are not generally applicable to other properties in this area and within the CG-Commercial zoning classification.
2. The hardship is not caused by the provisions of the Zoning Ordinance.
3. Strict application of the provisions of the Zoning Ordinance would not deprive the property owner of the reasonable use of the property.
4. The requested variance is the minimum variance that would accomplish the relief sought by the applicant, as there is no space on the site for additional parking spaces.
5. The granting of the variance is not in harmony with the general purposes and intent of the Zoning Ordinance.

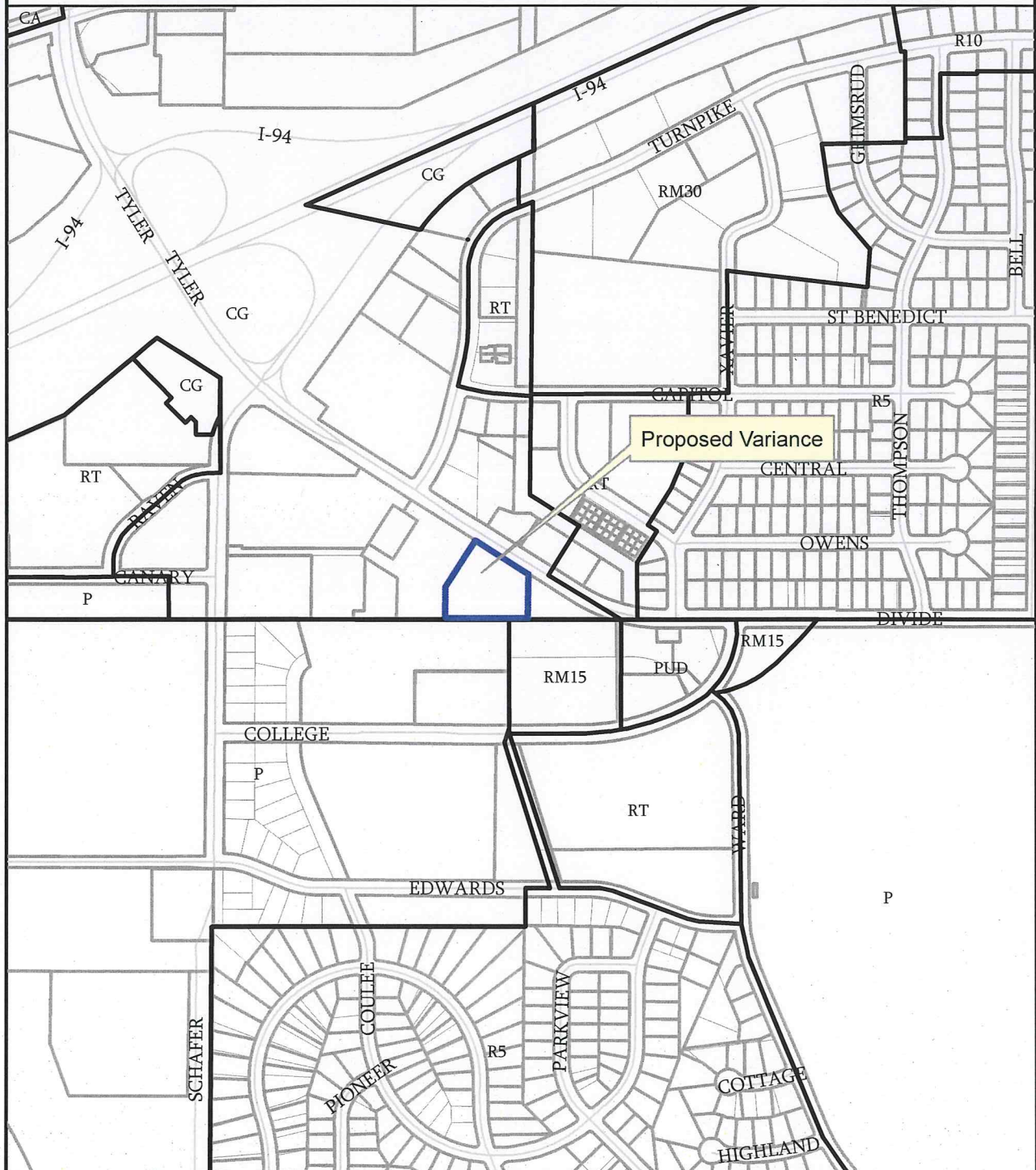
#### **RECOMMENDATION:**

Staff recommends reviewing the above findings and modifying them as necessary to support the decision of the Board.

If granted, the variance must be put to use within 24 months or it shall lapse and the landowner must reapply.



# **Proposed Variance** **Lot 3, Block 1, Prairie Hills 5th Addition** **(being replatted as Lot 2, Block 1, Munich First Addition)**



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
 Date: 7/21/2014(hlb)

Source: City of Bismarck

0 550 1,100  
 Feet





JUL 21 2014

WEST DIVIDE AVENUE

6" SANITARY

LOT 2  
88,810 SF

LL ELEV. 1794.0  
UL ELEV. 1806.0  
PARKING PROVIDED 108 SP

F.F. ELEV. 1798.0

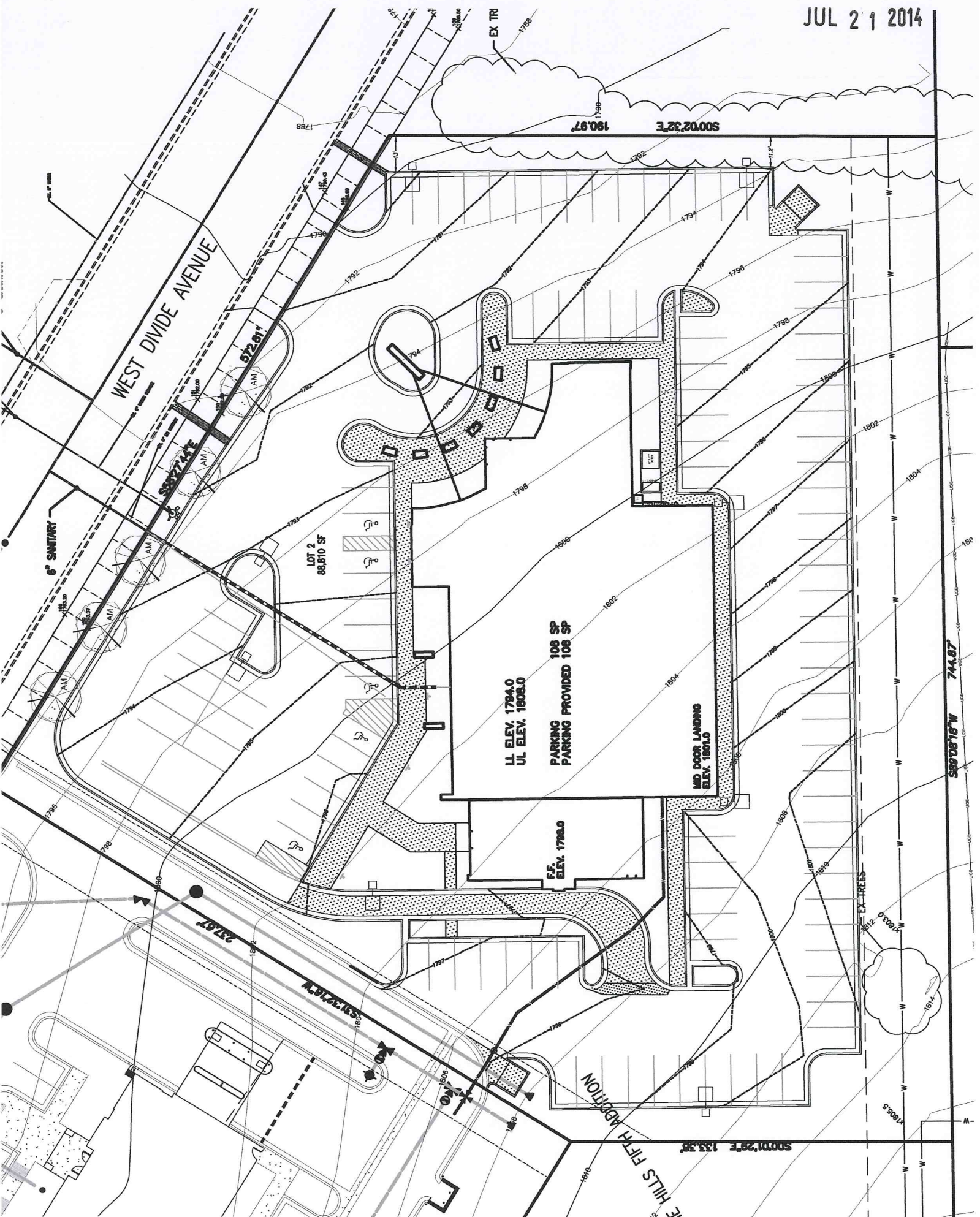
MD DOOR LANDING  
ELEV. 1801.0

E HILLS FIFTH ADDITION

500'00"18"W 744.87

S000'01"29"E 133.38

SEE EXCISES





# CITY OF BISMARCK/ETA & BURLEIGH COUNTY

## APPLICATION FOR APPROVAL OF A VARIANCE

### WRITTEN STATEMENT

JUL 21 2014

1. Property Address or Legal Description: LOT ~~3~~, BLOCK 1, PRAIRIE HILLS 5th ADDITION (~~Munich First Addition~~) lot 2, block 1, Munich Addition.
2. Location of Property: ☒ City of Bismarck ☐ ETA ☐ Burleigh County
3. Type of Variance Requested: Reduction of 104 parking spaces from required 212
4. Applicable Zoning Ordinance Chapter/Section: 14-03-10
5. Describe how the strict application of the requirements of the Zoning Ordinance would limit the use of the property. (Only limitations due to physical or topographic features - such as an irregularly shaped, narrow, shallow or steep lot or other exceptional physical or topographic condition - that are unique characteristics and not applicable to other properties in the neighborhood are eligible for a variance. Variances cannot be granted on the basis of economic hardship or inconvenience. )

The reason for our variance application to reduce required parking spaces for our project by 104 spaces relates to the strict classification by Staff of a fitness training portion of our building plan as an Assembly occupancy rather than a Business occupancy. This interpretation by Staff is requiring nearly double the amount of parking required and thus making the project impossible to achieve on this site.

See attached letter for further explanation

Text Field

6. Describe how these limitations would deprive you of reasonable use of the land or building involved and result in unnecessary hardship.

Staff has classified a fitness training area portion of our mixed use building plan as Assembly occupancy which requires 1 parking space per 60 s.f. of gross building area. We are asking the Board of Adjustment to consider reducing the required parking by 104 spaces by considering this area of our building as a Business occupancy which requires 1 parking space for every 250 s.f. of gross area. It is the opinion of the Owner and Architect that a 1 to 60 ratio for parking would be an unnecessary use of the land. See attached letter for further explanation

7. Describe how the variance requested is the minimum variance necessary to allow reasonable use of the property.

A variance to reduce required parking by 104 spaces by considering the fitness training portion of the building as a Business occupancy with a parking ratio of 1 to 250 rather than an Assembly occupancy of 1 to 60 would allow the building and site plan to be constructed as presently designed.

See attached letter for further explanation



# Jiran Architects & Planners, PC

PO Box 5015  
Bismarck, ND 58502  
(701) 258-7771  
(701) 258-1672 Fax

July 18, 2014

City of Bismarck Board of Adjustment

## RE: PROXIMAL 50 LIFE CENTER

Dear Board Members:

My firm is currently working on building plans for a new building to be located on West Divide Avenue in Bismarck. This facility will be designed for a number of different uses including:

- 8,232 s.f. physical therapy clinic and associated support spaces
- 8,486 s.f. fitness training center
- 1,197 s.f. childcare drop off
- 1,869 s.f. office lease space
- 1,680 s.f. coffee shop

The site for this project has been very challenging to work with to provide for the programmed spaces and associated parking being that the site has such a steep grade to it as well as a 30' easement along the south 352' long property line. We have presently designed the parking to meet requirements of 250 parking spaces per square feet of space for the main building (physical therapy clinic, fitness training center, childcare drop off, and office lease space) and 1 space per 60 square feet for the coffee shop. After discussing our plan with the Building Inspector and members of Planning and Zoning, concerns about the proper ratio of parking spaces to square footage for the fitness area of the building have been expressed to us by the Building Inspector who considers this area as a place of public assembly occupancy and provide 1 space per 60 square feet (fitness centers are not specifically mentioned in the parking ordinance). The following is a detailed explanation of the functions of this proposed building and an explanation of why a 1 to 60 ratio for parking is unreasonable.

**No other fitness center in town is providing parking at a 1 to 60 ratio.** The following is a list of a few popular fitness centers in town and a summary of the parking spaces they are providing:

- Anytime Fitness (south location) is 7,225 s.f. and has 48 parking spots which equals 1 space for every 150 s.f. (by the 1 to 60 thinking, they should have 121 spaces). **Their current parking ratio is 1 space per 150 s.f.**
- Anytime Fitness (north location) is 3,840 s.f. and shares 24 spaces with the rest of the building they are in. Their space is about half of the building so the other half at 1 to 250 would require 16 spaces leaving 8 for the fitness center. Looking at it this way, the fitness center at 1 to 60 should require 64 spaces. **Their current parking ratio is 1 space per 480 s.f.**
- Gold's Gym is 15,000 s.f. and parks 115 cars. Under the 1 to 60 method, they should be required to have 250 spaces. **Their current parking ratio is 1 space per 130 s.f.**

To illustrate a realistic parking count for our proposed building, the space summary below describes each of the different functions of each space within the building to show that our original thinking of 1 space per every 250 s.f. of building is reasonable.

### Physical Therapy Clinic

The physical therapy clinic portion of the building is 8,232 s.f. A physical therapy clinic differs from other general practice (GP) clinics in that they do not have large numbers of people waiting to see a Doctor. A general practice clinic Doctor will rotate between 3 patients at a time and spend less than 15 minutes with each. We typically design GP clinics to have 3 exam rooms per

Doctor and size the waiting room for 6 people per Doctor. GP clinics also have a higher number of staff as each Doctor will have their own nurse.

Our physical therapy clinic is designed for a maximum of 4 therapists. A physical therapist typically spends up to an hour with each patient and only needs to provide 1 spot in the waiting room per therapist. Our building is designed for 1 treatment room per therapist. A physical therapy clinic also requires a large area for the therapy gym. The therapist will typically start with a patient in the treatment room and then move with them into the therapy gym to work on specific pieces of equipment. In other words, patients will not be in the treatment rooms and the gym at the same time.

**Patients will be seen during working hours from 9:00 AM to 5:00 PM which differs from the peak times for fitness and coffee shop hours which typically have peak times before and after working hours.**

A realistic number of people occupying the physical therapy clinic at one time would be:

Therapists	4
Patients	8 (one being worked on and one waiting per therapist)
Staff	2 (one receptionist and one assistant)
Total	14 (assuming 1 space for each person)

#### Fitness Training Center

The fitness center portion of the building is 8,486 s.f. This fitness center will be designed to be an "upscale" private center that differs from other centers in town that try to add as many pieces of equipment as possible (see attached equipment layout plan). The fitness training center will be purposefully marketed to not be a crowded environment in which to train. The owner intends to provide the following pieces of equipment and class size for the studios. We are assuming 1 parking space for each available piece of equipment or class participant:

Cardio	25
Free weights	5
Studio Classes	20 (10 per class, maximum 2 classes at one time)
Staff	4
Total	54 (parking ratio of 1 space per 157 s.f.)

#### Childcare Drop-Off

The childcare area is 1,197 s.f. and is not a daycare center. The intent of this space is to provide child supervision to a limited number of people, that being the staff and those who are using the fitness training center. The following was used to determine parking for this area:

Staff	2
20 children max	2 (one for every 10 children as per City code)
Total	4

#### Lease Space

The lease space provided in this building will be 1,869 s.f. This space is intended to be office use and using the 1 to 250 s.f. method would require a total of 8 parking spaces.

#### Coffee Shop

The coffee shop is 1,680 s.f. and will not have an exterior patio area. The parking will be computed at 1 to 60 s.f. for a total parking spaces of 28 parking spaces and stacking for 10 vehicles.

#### Summary

The physical therapy clinic, child watch area, lease space, and fitness training center have a combined realistic occupancy of 80 which matches our original projection of 1 space per 250 s.f. Assuming every occupant drives their own car, the 80 spaces provided on our plan would meet the parking requirements for the building and our fitness center has a parking ratio similar to other fitness centers in town.



The intent of the fitness training area is to provide physical therapy **clients with a place to exercise as a part of their physical therapy treatment and not a place of public assembly**. With this ratio along with the coffee shop, we would have to provide 212 parking spaces on the site which is a wasteful use of the land.

I would like to make it clear that our planned fitness training space is **not a gym** as described as an Assembly occupancy in the IBC or the Bismarck Zoning Ordinance. Our planned facility will be a **client driven business with controlled hours of use** with a limited number of specific stations for the clients to train. We are purposefully limiting the number of stations to contrast with other facilities in town where there are as many pieces of equipment stuffed into the space as possible. That is not the sort of environment the owner's clients will be paying for.

The 2012 IBC Section 304 under the Business Occupancy list of descriptions where it specifically lists as one type of **Business Occupancy: "Training and skill development not within a school or academic program"** as one of the accepted uses within a Business Occupancy and thus **would justify parking at the 1 to 250 ratio under the Bismarck Zoning Ordinance**. This definition under the Business Occupancy section of the IBC Building Code is an accurate description of the fitness space in our clinic rather than simply calling it a "gym". I have presented this argument to the Building Inspector but he has rejected my position and insists on classifying the space as public assembly.

On behalf of the owner, I am asking the Board of Adjustment to consider the entire building as a Business occupancy and the small coffee shop as Assembly to make our present site plan in compliance with the City of Bismarck off-street parking ordinance. I have attached color coded building plans and a site plan with this variance request to clarify our position.

The owner and I would like to thank you in advance for taking the time to review our project and our explanation of our intended parking plan for our variance request.

Respectfully Submitted  
**Jiran Architects & Planners, P.C.**



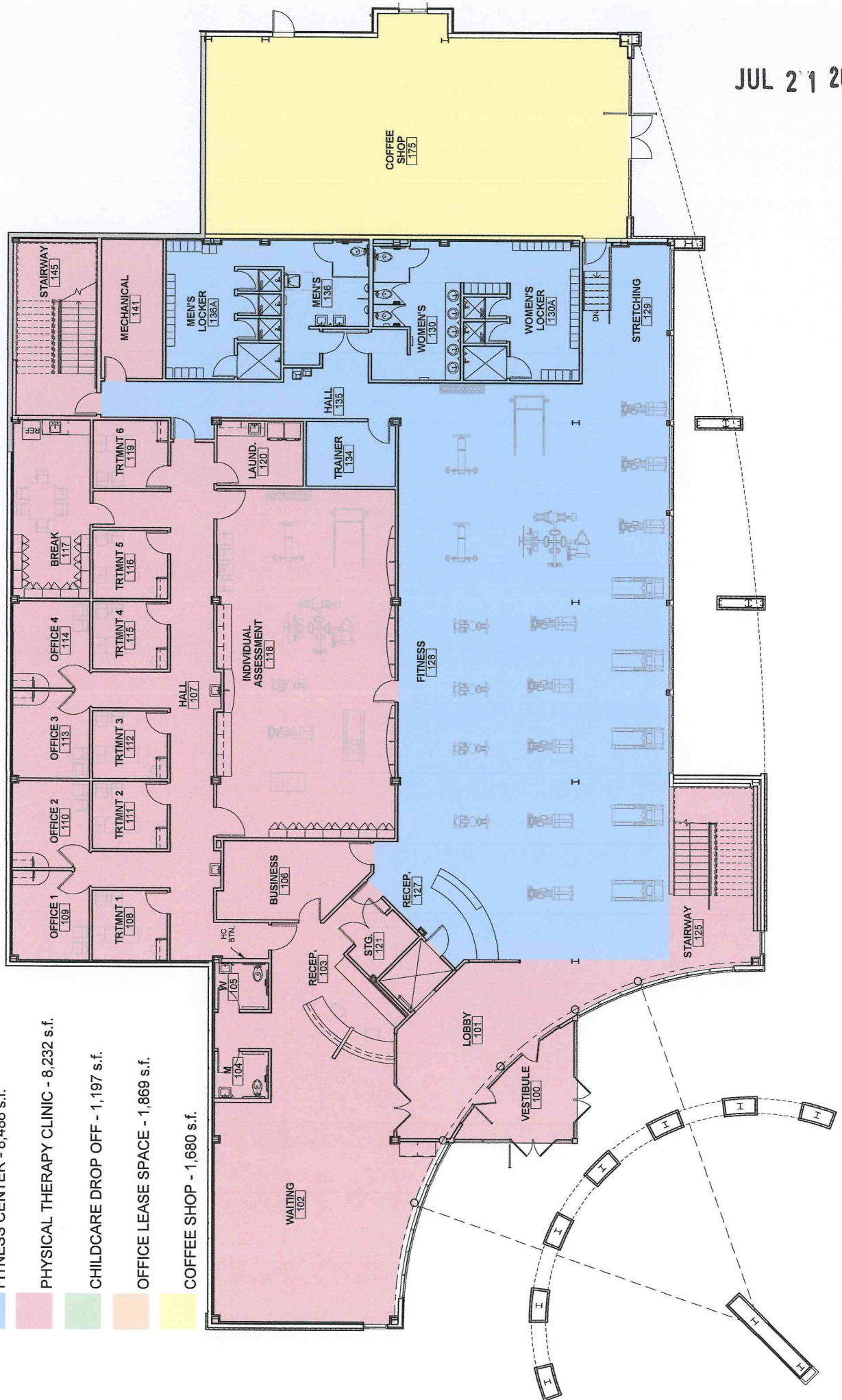
Jeff Welch, AIA  
Principal Architect



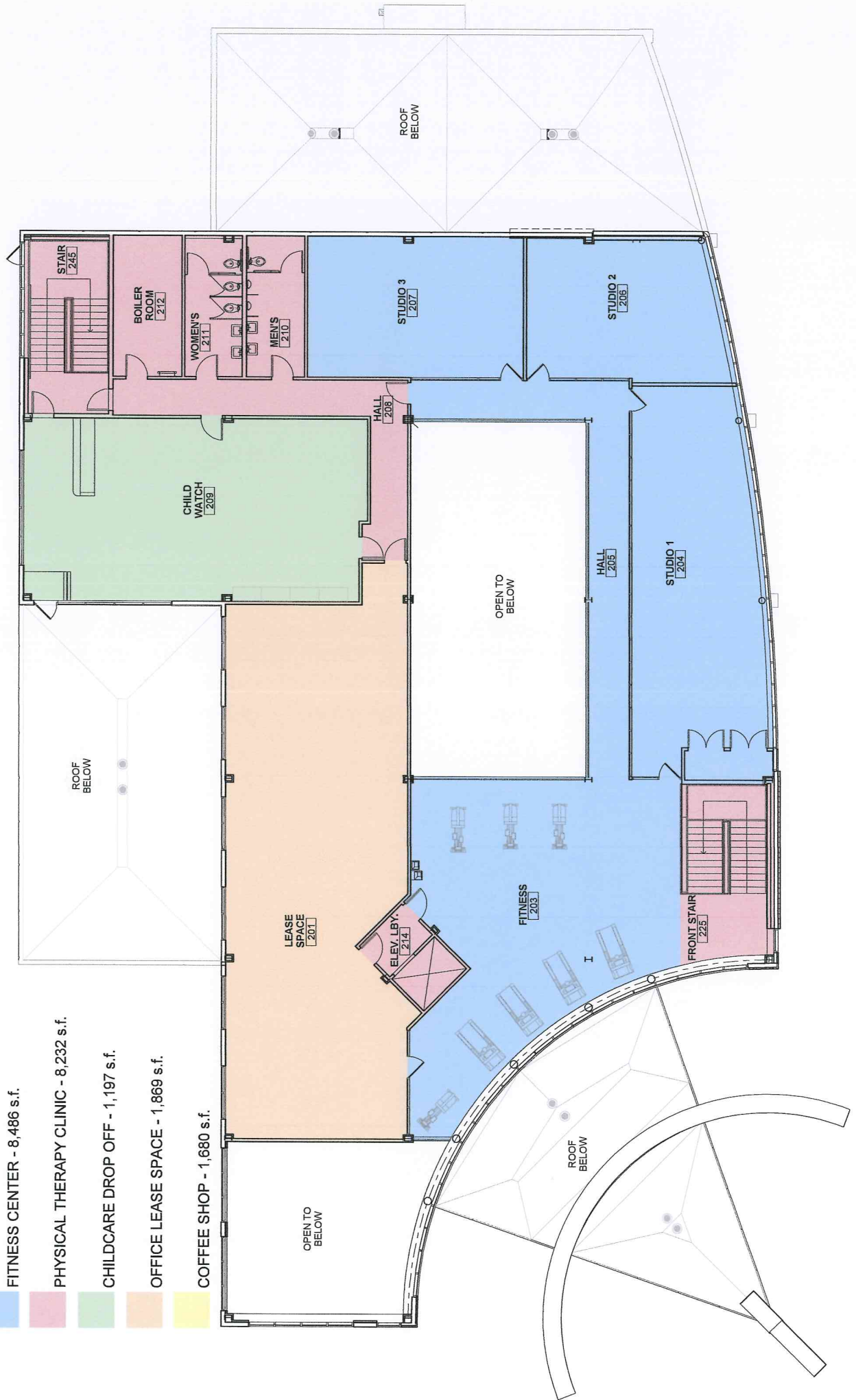


JUL 21 2014

- FITNESS CENTER - 8,486 s.f.
- PHYSICAL THERAPY CLINIC - 8,232 s.f.
- CHILDCARE DROP OFF - 1,197 s.f.
- OFFICE LEASE SPACE - 1,869 s.f.
- COFFEE SHOP - 1,680 s.f.

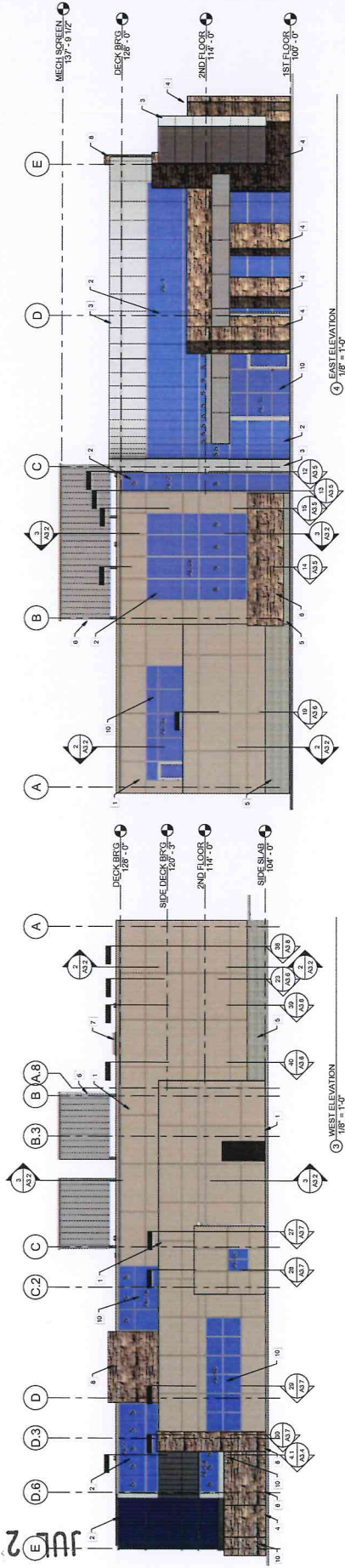


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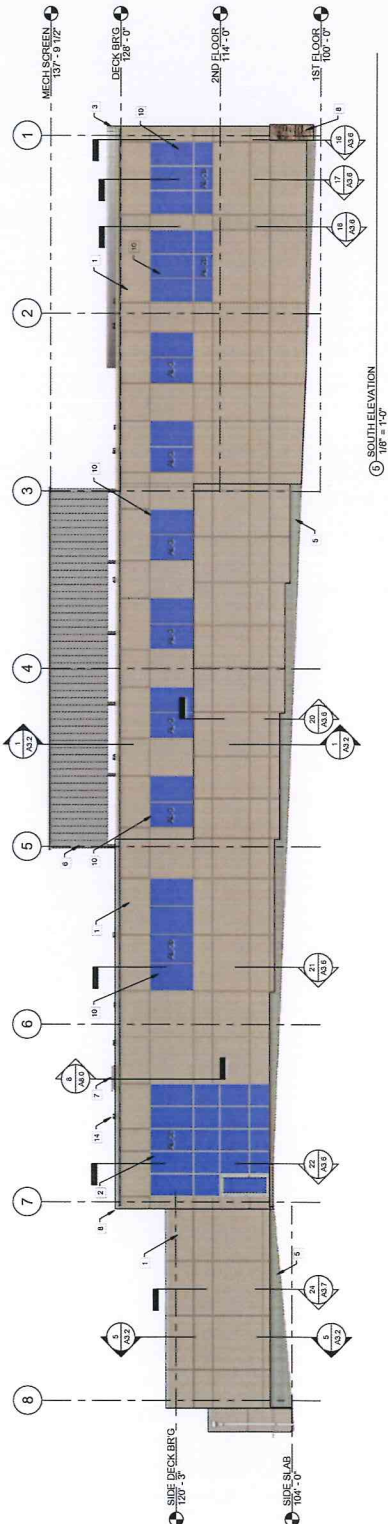
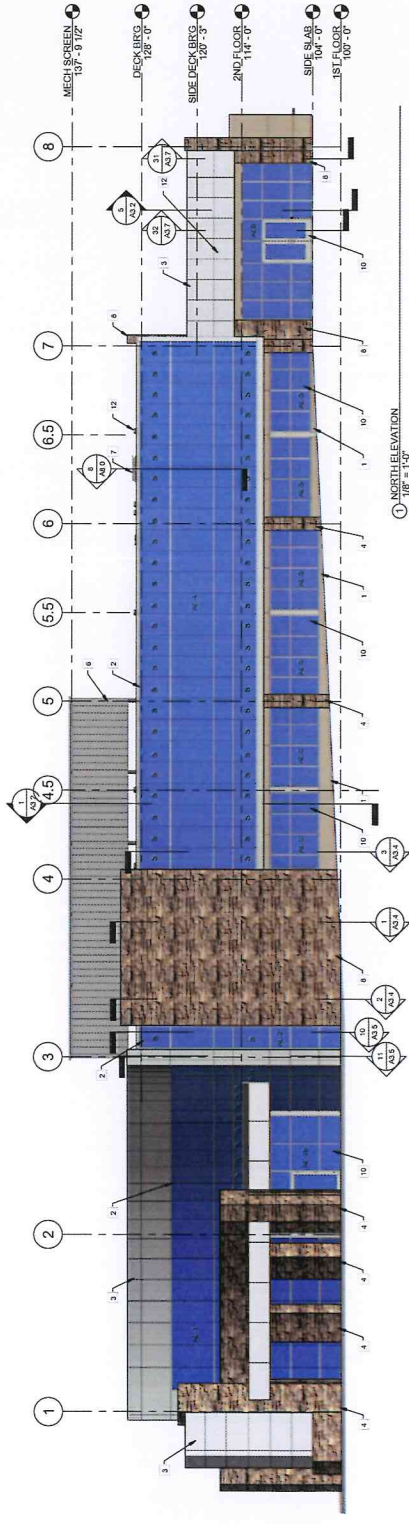


JUL 2 1 2014



ELEVATION LEGEND

- 2 EPS  
1 KAWNEER 160 7 1/2\"/>





## Community Development Department

July 28, 2014

Dear Property Owner:

Please be advised that the Bismarck Board of Adjustment will be conducting a public hearing on a variance request on Thursday, August 7, 2014, at 4:00 p.m. in the Tom Baker Meeting Room, City-County Office Building, 221 North 5<sup>th</sup> Street, Bismarck, North Dakota, which may be of interest to you.

The First State Bank of Munich is requesting a variance from Section 14-03-10 of the City Code of Ordinances (Off-street Parking and Loading) to reduce the required amount of off-street parking spaces from two hundred fourteen (214) off-street parking spaces to one hundred eight (108) off-street parking spaces on part of Lot 3 less Lot A, Block 1, Prairie Hills 5<sup>th</sup> Addition (being replatted as Lot 2, Block 1, Munich Addition).

A site plan and map showing the location involved in the request are enclosed for your information.

At the hearing, the Board of Adjustment will provide an opportunity for all interested persons to be heard with respect to this item. Interested persons may also submit written comments regarding this request prior to the meeting to the Community Development Department ~ Planning Division, PO Box 5503, Bismarck, North Dakota 58506-5503, fax: 701-222-6450, or e-mail - [cobplan@nd.gov](mailto:cobplan@nd.gov).

If you have any questions or need any additional information on this request, please contact Jenny Wollmuth, the planner in our office assigned to this request, at 355-1845.

Bismarck Community Development Department - Planning Division

JW/hlb

Enc: Location Map  
Site Plan





**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>	
<b>Title:</b> 1317 East Front -Variance (Off-Street Parking and Loading) (Lots 3-4, Block 19, Sturgis Addition)	
<b>Status:</b> Board of Adjustment	<b>Date:</b> August 7, 2014
<b>Owner(s):</b> J & L Development (owner) Chris Padilla (applicant)	<b>Engineer/Architect:</b> None
<b>Reason for Request:</b> Variance from Section 14-03-10 of the City Code of Ordinances (Off-Street Parking and Loading) to reduce the required number of off-street parking spaces from fifty-three (53) off-street parking spaces to four (4) off-street parking spaces to be located on the existing gravel portion of the rear yard in order to convert an existing building into a multi-use building with assembly and business uses.	
<b>Location:</b> The property is located in central Bismarck along the south side of East Front Avenue, between south 13 <sup>th</sup> Street and South 14 <sup>th</sup> Street.	
<b>ADDITIONAL INFORMATION:</b>	
<ol style="list-style-type: none"> <li>1. The proposed variance is located on a parcel that lacks the required paving for off-street parking and does not meet the minimum lot area and lot width for a parcel located within the MA-Industrial zoning District and is not provided with a paved parking lot. The required lot area for a parcel located within the MA-Industrial zoning district is 10,000 square feet; the lot area of the proposed variance is 6,500 square feet. The required lot width for a parcel located within the MA-Industrial zoning district is sixty (60) feet; the lot width for the proposed variance is fifty (50) feet.</li> <li>2. The proposed building is an existing multi-use building that will include a CrossFit and future office space. Based on requirements in the zoning ordinance and the 2012 International Building Code (IBC), staff has determined that the number of required off-street parking spaces is fifty-three (53) spaces. The applicant is proposing to provide four (4) off-street parking spaces to be located on the existing gravel portion of the rear yard, approximately 2,000 square feet, as required off-street parking.</li> </ol>	
<b>APPLICABLE PROVISION(s) OF ZONING ORDINANCE:</b>	
<ol style="list-style-type: none"> <li>1. Section 14-02-03 of the City Code of Ordinances (Definitions) defines a variance as, "A device which grants a property owner relief from certain provisions of the zoning ordinance when, because of the particular physical surroundings, shape or topographical condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or desire to increase the financial return."</li> <li>2. 14-03-09(6) of the City Code of Ordinances (Nonconforming Use-change) states, "A nonconforming use may be continued in accordance with the provisions of this section, but it shall not be changed to any other use except that one which would be permitted as a new use in the district in which the building is located." A CrossFit is considered a Commercial Recreation Group and is an allowed use in the MA-Industrial zoning district. However, as the proposed variance is located on a parcel that does not meet the minimum lot area and lot width, it is considered a nonconforming use.</li> </ol>	

*(continued)*



3. Section 14-03-10(1) of the City Code of Ordinances (Off-Street Parking and Loading) states “No application for a building permit or certificate of occupancy in any zone shall be approved unless there is included with the plan for such building improvement or use, a site plan showing the required space designated as being reserved for off-street parking purposes to be provided in connection with such building improvements or use in accordance with this section; and no certificate of occupancy shall be issued unless the required facilities have been provided. All off-street parking spaces required and all driveways on private property leading to such parking areas shall be surfaced with a dustless all-weather hard surface material. Acceptable surfacing materials include asphalt, concrete, brick, cement pavers or similar materials installed and maintained according to industry standards. Crushed rock or gravel shall not be considered an acceptable surfacing material.” If the variance is approved as proposed, the proposed four (4) off-street parking spaces would be located on the existing gravel portion of the rear yard.
4. Section 14-03-10(1)(g) of the City Code of Ordinances (Off-Street Parking and Loading)(Places of Public Assembly) states, “Places of public assembly, including private clubs, lodges and fraternal buildings not providing overnight accommodations, assembly halls, exhibition halls, convention halls, auditoriums, skating rinks dance halls, bowling alleys, sport arenas, stadiums, gymnasiums, amusement parks, zoos, racetracks, fairgrounds, circus grounds, community centers, libraries, museums, and all other similar places of public assembly: One space for each sixty (60) square feet of gross floor area.” According to the property information collected by the City Assessing Department, the area identified as CrossFit will be located is 2,900 square feet. A total of forty-eight (48) off-street parking spaces are required. Based on the functionality of CrossFit, the applicant is proposing to provide four (4) off-street parking spaces.
5. Section 14-03-10(1)(i) of the City Code of Ordinances (Off-Street Parking and Loading)(Office Buildings) states, “Office buildings, adult or vocational education facilities, engraving works, blueprinting, and small animal veterinary clinics, including commercial, governmental and professional buildings, except as otherwise provided for in the section: One space for each two hundred fifty (250) square feet of gross floor area.” According to the property information collected by the City Assessing Department, the area identified as office space is 1,168 square feet. A total of five (5) off-street parking spaces are required. At this time, the applicant has indicated that the office space will be vacant. No off-street parking spaces are proposed for this use.
6. Section 14-03-10 (13) of the City Code of Ordinances (Off-Street Parking and Loading)(Mixed Uses) states, “In the case of mixed uses, the total requirements for off-street parking and off-street loading space shall be the sum of the requirements of the various uses computed separately as specified in subsections 1 and 2 of this section, and the off-street parking and off-street loading space for one use shall not be considered as providing the required off-street parking or off-street loading space for any other use.
7. Section 14-03-10(14) of the City Code of Ordinances (Off-Street Parking and Loading)(Nonconforming Uses) states, “In the case of nonconforming uses where major repairs, substantial alterations or extensions are made, no such major repairs, substantial alterations or extensions shall be permitted unless and until the off-street parking and off-street loading facility space requirements of this section, so far as they apply to the use to which such building is devoted, shall be fully provided for.” As the proposed variance is located on a parcel that does not meet the minimum lot area and lot width, it is considered a nonconforming use. It is staff’s understanding that the applicant will not be performing major repairs, substantial alterations or extensions to the existing building.

#### **FINDINGS:**

1. The need for a variance is not based on special circumstances or conditions unique to the specific parcel of land involved that are not generally applicable to other properties in this area and within the MA - Industrial zoning classification.
2. The hardship is not caused by the provisions of the Zoning Ordinance.

*(continued)*



3. Strict application of the provisions of the Zoning Ordinance would not deprive the property owner of the reasonable use of the property.
4. The requested variance is the minimum variance that would accomplish the relief sought by the applicant, as there is no space on the site for additional parking spaces.
5. The granting of the variance is not in harmony with the general purposes and intent of the Zoning Ordinance.

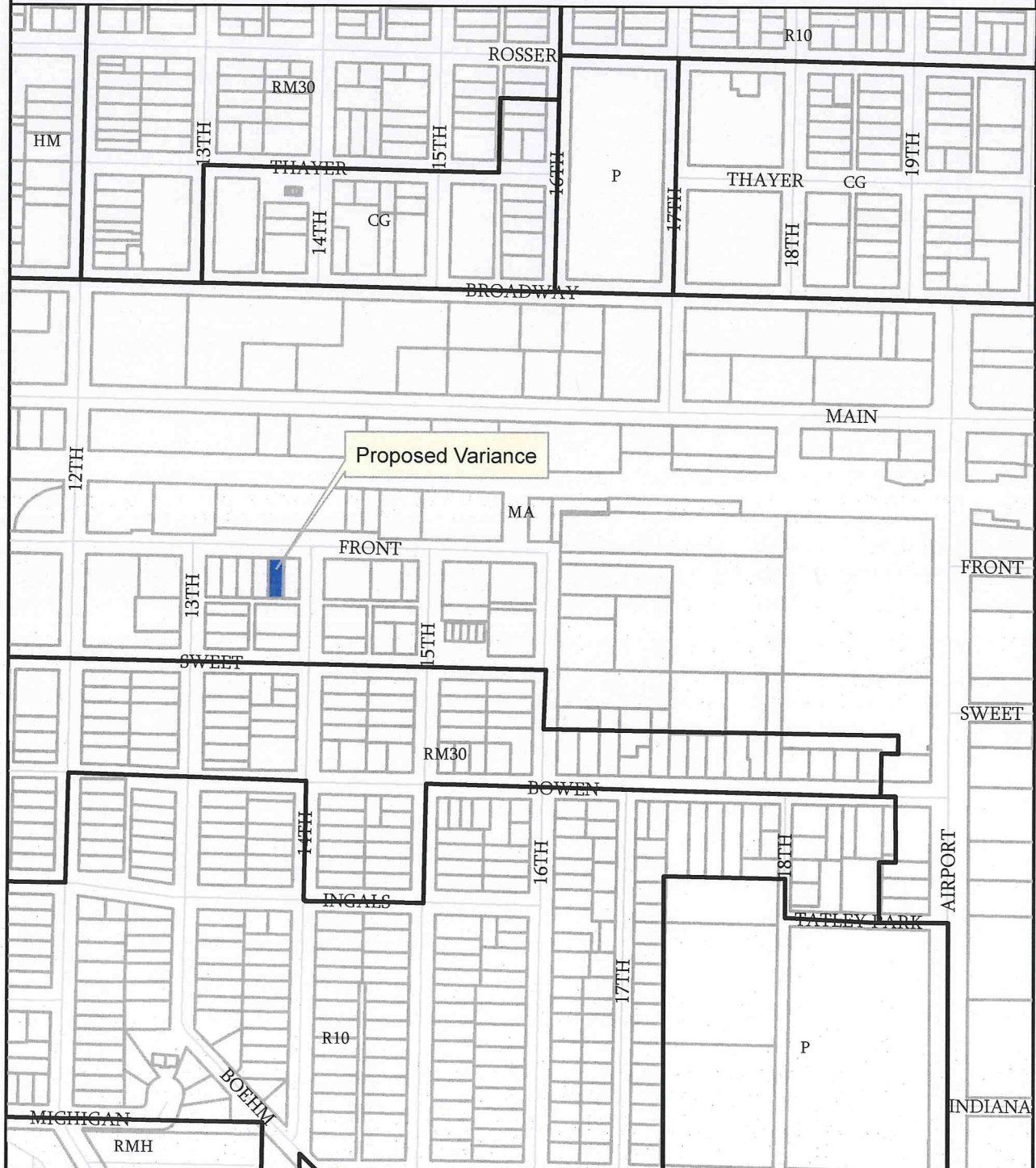
**RECOMMENDATION:**

Staff recommends reviewing the above findings and modifying them as necessary to support the decision of the Board.

If granted, the variance must be put to use within 24 months or it shall lapse and the landowner must reapply.

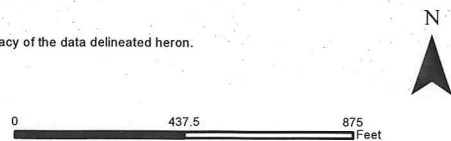
# Proposed Variance

## Lots 3-4, Block 19, Sturgis Addition



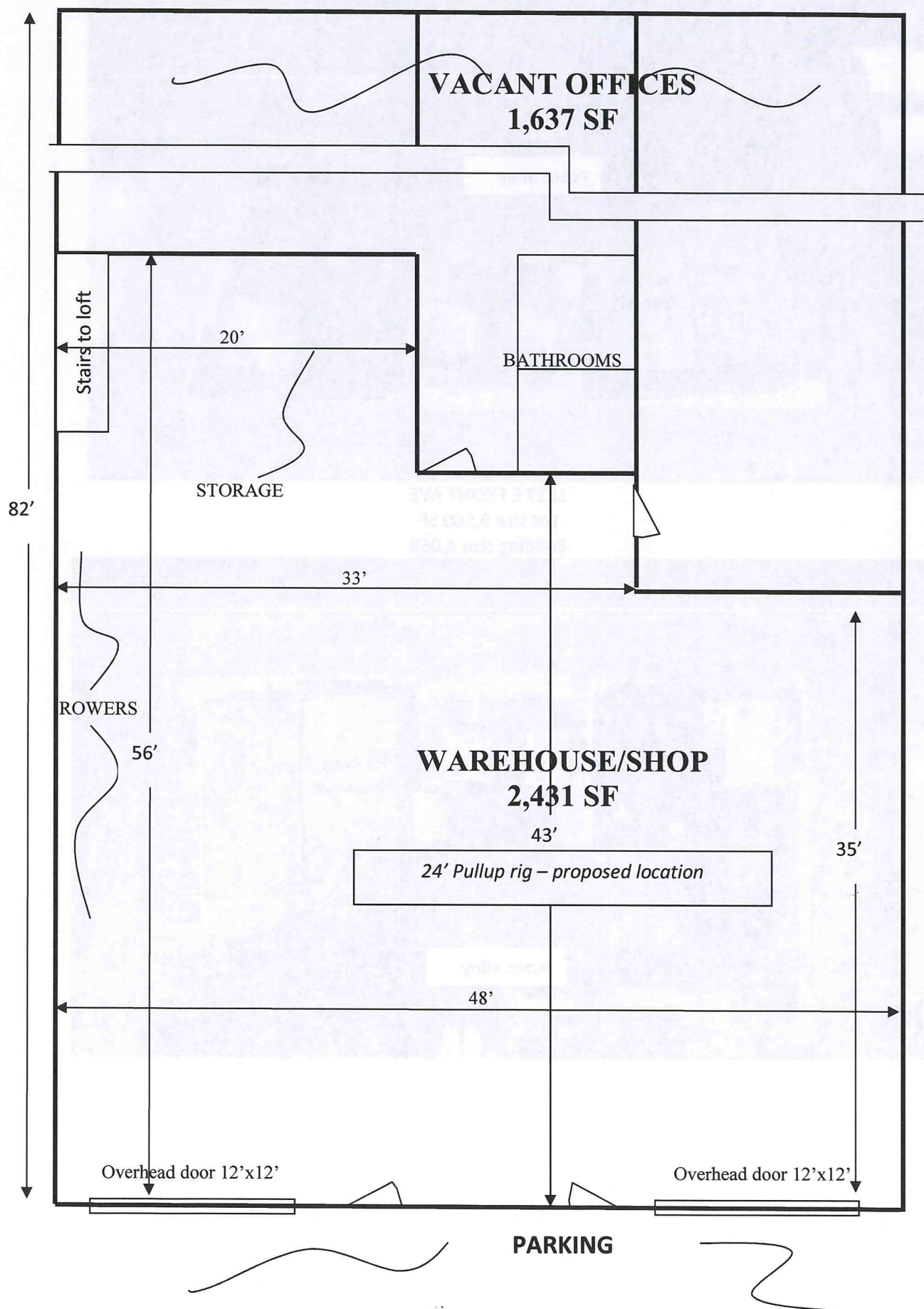
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Date: 6/27/2014 (nib)

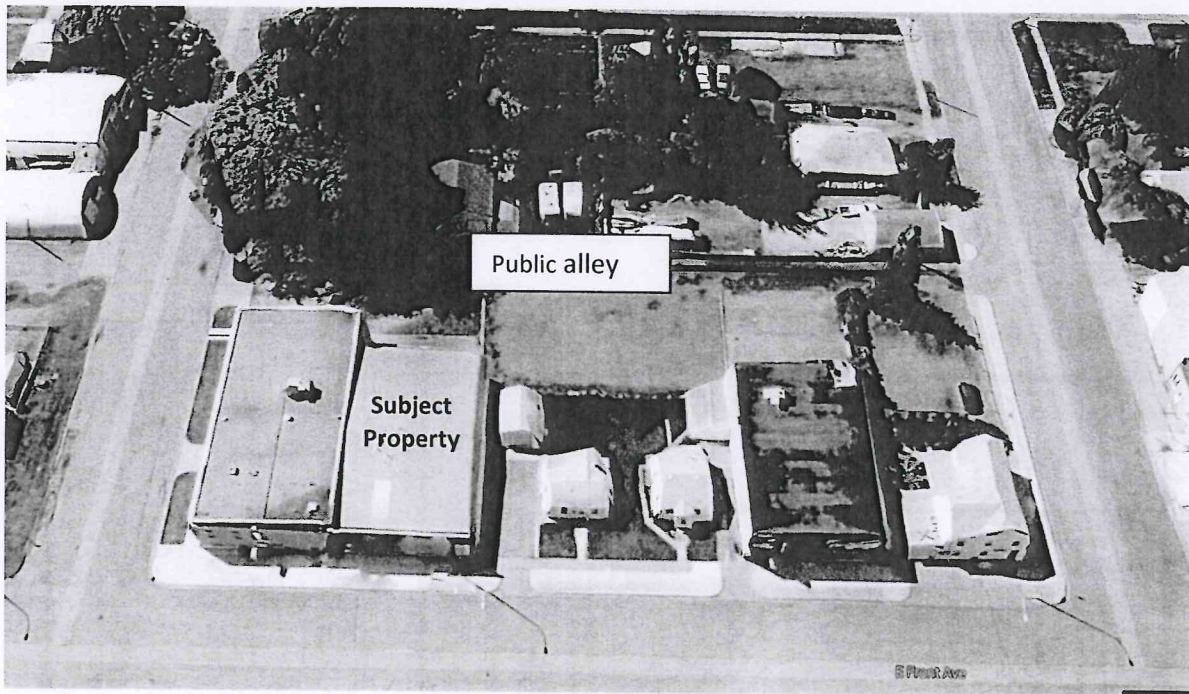
Source: City of Bismarck



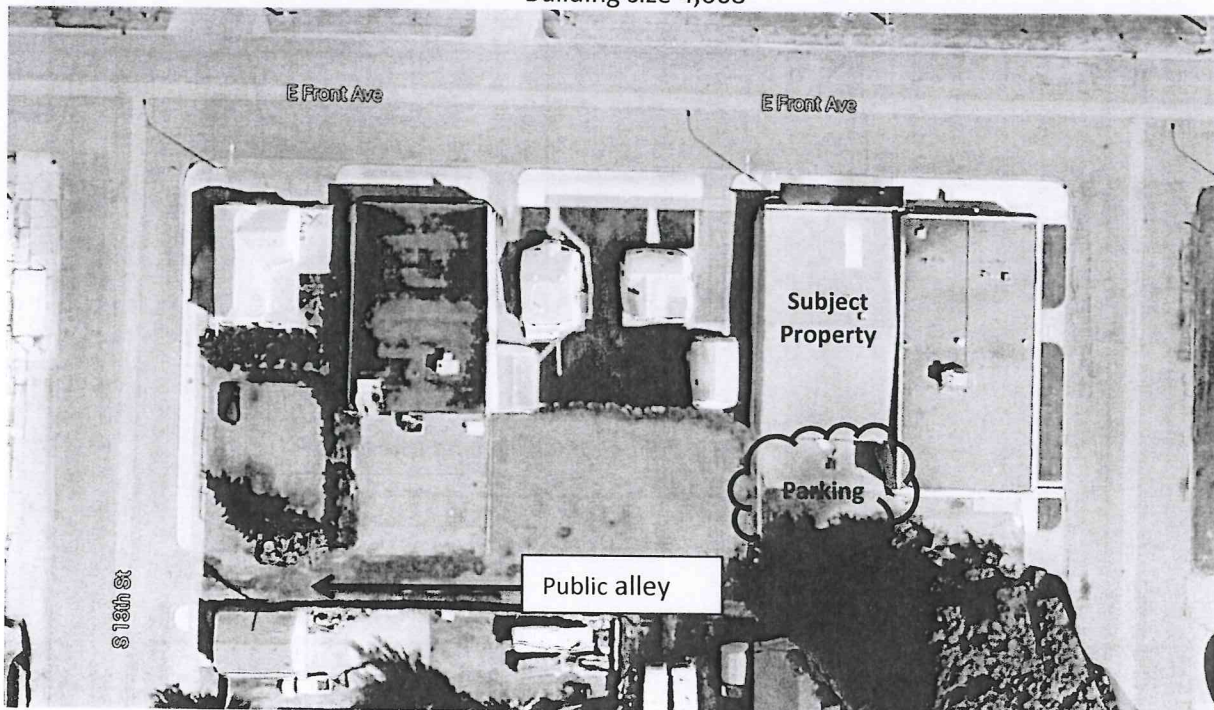


JUN 27 2014





1317 E FRONT AVE  
Lot size 6,500 SF  
Building size 4,068





JUN 27 2014

Chris Padilla  
2650 132<sup>ND</sup> ST SE  
Menoken, ND 58558

June 20, 2014

Board of Adjustment  
City of Bismarck  
221 N. 5<sup>th</sup> Street  
Bismarck, ND 58506

Dear Sir or Ma'am:

I am writing to request a variance to the parking requirements as defined in Title 14, Zoning, Chapter 14-03-10 Off-Street Parking and Loading, Part 1.g. The subject property is located at Lots 3-4, Block 19, Sturgis Addition or 1317 East Front Avenue in Bismarck, North Dakota. It is currently zoned as MA Light Industrial. The existing property has north access along Front Avenue as well as a public alley on the south end of the building. There are roughly eight (8) off-street parking spaces located on the south end of the building off of the public access alley.

The property was purchased with the intent to operate a CrossFit affiliate (Big Muddy CrossFit). CrossFit is not your typical gym, in fact, CrossFit facilities are commonly referred to as boxes and not gyms. CrossFit boxes do not utilize the typical gym equipment (treadmills, bikes, elliptical, weight machines, etc.), instead we rely mostly on body weight movements, Olympic weightlifting, and pull up rigs...there are no machines in our boxes.

In addition, CrossFit boxes are only open during set times for group classes. The hours of operation are typically limited to early morning, noon, and late afternoon/early evening times. Each class is typically limited to a maximum 15 members. In most cases, there are about 3-8 members per class. Classes typically take less than one hour and the members are in and out in that timeframe. As a new CrossFit affiliate, I am expecting lower than average numbers to start and gradually increasing.

The parking requirements for this use group are one space for each sixty square feet of gross floor area. The warehouse space is roughly 2,431 SF and would require 40 parking spaces. The finished office space (will remain vacant) is 1,637 SF and would require six (6) parking spaces for a total of 46 parking spaces on the property. If I were to use the square footage city requirements for parking (9'x18'), I would need a lot size of 7,452 SF to accommodate this requirement. Even if I were to keep the building as office space and warehouse, it would still require more parking than space allows.

However, due to the unique nature of a CrossFit box, the actual square footage of space used as a "gym" is very limited. In fact, most of the 2,431 SF of warehouse space will be utilized as storage for unused weight plates, barbells, plyometric boxes, kettlebells, and



## Community Development Department

July 28, 2014

Dear Property Owner:

Please be advised that the Bismarck Board of Adjustment will be conducting a public hearing on a variance request on Thursday, August 7, 2014, at 4:00 p.m. in the Tom Baker Meeting Room, City-County Office Building, 221 North 5<sup>th</sup> Street, Bismarck, North Dakota, which may be of interest to you.

Chris Padilla is requesting a variance from Section 14-03-10 of the City Code of Ordinances (Off-street Parking) to reduce the required amount of off-street parking spaces from fifty-three (53) off-street parking spaces to four (4) off-street parking spaces on Lots 3-4, Block 19, Sturgis Addition (1317 East Front Avenue).

A site plan and map showing the location involved in the request are enclosed for your information.

At the hearing, the Board of Adjustment will provide an opportunity for all interested persons to be heard with respect to this item. Interested persons may also submit written comments regarding this request prior to the meeting to the Community Development Department ~ Planning Division, PO Box 5503, Bismarck, North Dakota 58506-5503, fax: 701- 222-6450, or e-mail - [cobplan@nd.gov](mailto:cobplan@nd.gov).

If you have any questions or need any additional information on this request, please contact Jenny Wollmuth, the planner in our office assigned to this request, at 355-1845.

Bismarck Community Development Department - Planning Division

JW/hlb

Enc: Location Map  
Site Plan





**BISMARCK BOARD OF ADJUSTMENT  
MEETING MINUTES  
July 9, 2014**

The Bismarck Board of Adjustment met on July 9, 2014 at 4:00 p.m. in the 1<sup>st</sup> Floor Conference Room in the City-County Office Building, 221 North 5<sup>th</sup> Street. Chairman Marback presided.

Members present were Jennifer Clark, Ken Heier, Ken Hoff, Chris Seifert, Michael Marback and Jeff Ubl.

Staff members present were Brady Blaskowski – Building Official, Jason Hammes – Assistant City Attorney, Jenny Wollmuth – Planner and Hilary Balzum – Community Development Office Assistant.

**MINUTES:**

Chairman Marback asked for consideration of the minutes of the June 5, 2014 meeting of the Board of Adjustment.

**MOTION:** A motion was made by Mr. Heier and seconded by Mr. Hoff to approve the minutes of the June 5, 2014 meetings as distributed. With Board Members Clark, Heier, Hoff, Seifert, Ubl and Marback voting in favor, the minutes were approved.

**VARIANCE FROM SECTION 14-04-01(4) OF THE CITY CODE OF ORDINANCES (RR-RESIDENTIAL)(FRONT YARD) AND SECTION 14-04-01(5) OF THE CITY CODE OR ORDINANCES (RR-RESIDENTIAL)(SIDE YARD) – 5538 FALCONER DRIVE (LOT 5, BLOCK 2, FALCONER ESTATES)**

Chairman Marback stated the applicant was requesting a variance to reduce the required front yard setback along the east side of his property from forty (40) feet to twenty (20) feet and the required side yard setback along the north side of the property from fifteen (15) feet to ten (10) feet in order to construct an accessory building.

Chairman Marback then explained that this request was tabled at the June meeting of the Board of Adjustment with the request that the applicant make some effort to make adjustments to the placement of the accessory building. He said the original request was to reduce the front yard setback from forty feet to ten feet and the new request is to reduce it from forty feet to twenty feet and to reduce the side yard setback along the north side of the property from fifteen (15) feet to ten (10) feet.

Michael Rohrich, 5528 Falconer Drive, said he lives north of Mr. Neideffer and he has no concerns on his request. He said it will not affect his view or drainage and he has no reason to object the proposal. He said he feels all appropriate aesthetics will be maintained as well.

Ms. Clark asked if the building size can be decreased or if the accessory building will be built to the maximum allowed square footage.

Mr. Neideffer said it is an option but that he would like to build the maximum allowable square footage.

Mr. Ubl asked at what point on the property does the hill shown in the aerial photo start. Mr. Neideffer said it is close to where the proposed location of the accessory building is now and that they will need to bring in some fill dirt.

Mr. Hoff said he still has issues with the placement of the accessory building as the request did not change, the building just moved.

Mr. Seifert said the applicant does have a hardship because of the topography of the property and reducing the size of the accessory building would not change the topography. He would still need a variance from the setback requirement.

Ms. Clark said the lot is not ideal but the problems are of the owners making because of how they chose to place the house when it was originally constructed.

Mr. Neideffer said he needs a place for his boat and other items to help clean up his property. He said everything will fit if it is 1800 square feet and most of the neighbors are that size too.

**MOTION:** A motion was made by Mr. Hoff to deny the variance to reduce the required front yard setback along the east side of his property from forty (40) feet to twenty (20) feet and the required side yard setback along the north side of the property from fifteen (15) feet to ten (10) feet in order to construct an accessory building. The motion was seconded by Ms. Clark and with Board Member Hoff voting in favor of the motion and Board Members Clark, Heier, Seifert, Ubl and Marback opposing the motion, the motion failed.

**MOTION:** A motion was made by Mr. Ubl to approve the variance to reduce the required front yard setback along the east side of his property from forty (40) feet to twenty (20) feet and the required side yard setback along the north side of the property from fifteen (15) feet to ten (10) feet in order to construct an accessory building. The motion was seconded by Mr. Seifert and with Board Members Clark, Heier, Seifert, Ubl and Marback voting in favor of the motion and Board Member Hoff opposing the motion, the motion was approved and the variance request was approved.

**VARIANCE FROM 14-03-03(7) OF THE CITY CODE OF ORDINANCES (R5 – RESIDENTIAL)(FRONT YARD) – 1018 CALVERT DRIVE (LOTS 11A & 12B, BLOCK 7, SONNET HEIGHT SUBDIVISION)**

Chairman Marback stated the applicant was requesting a variance to reduce the required front yard setback along the northeast side of his property, adjacent to Niagara Drive, from twenty-five (25) to three (3) feet in order to construct an accessory building.



Chairman Marback asked how large of an accessory building the applicant wants to build. Mr. Ellwein said he would like to build it approximately 12 feet by 12 feet in order to avoid the retaining wall they had to install to help with drainage issues.

Mr. Hoff asked how tall the retaining wall is. Mr. Ellwein said it is about three feet but they still have problems with mud and water issues when it rains. He said they have had to fix their fence and their landscaping because they have been washed out. He said there is also a seven foot utility easement in the back yard that they need to avoid building on.

Mr. Heier said they need to be reluctant when modifying front yard setbacks so that people stay away from the street and more hardship needs to be proven.

Ms. Clark said she looked at the property and she would like to know how far it is from the west side of the fence to the house. Mr. Ellwein said it is approximately ten feet.

Mr. Hoff asked what types of materials the building will consist of. Mr. Ellwein said it will look similar to the house and it will be sided and shingled with a triangle truss and an eight foot side wall.

Mr. Hoff said they will have to cut into the slope on the property and then the shed will be visible over the fence and more drainage problems will ensue.

Mr. Heier said he thinks it should be built in the northwest corner of the property. Mr. Ellwein said they would have to dig out a lot more dirt in that corner and that area has a lot of standing water. He said they would like to build it so that the door faces south to keep water away from the door and the inside.

Mr. Hoff said there are not very many properties in the area with sheds yet. Mr. Ellwein said there are quite a few to the north that are closer to the size of a single stall garage. He said he gets a lot of run off from the neighbors properties and it gets worse the more houses are built.

Mr. Heier said he has a problem with setting a precedent and they are seeing more requests for encroachment into the front yard setbacks.

Mr. Hoff asked if Mr. Ellwein moves, could the new occupants of the house ask for a driveway on the other side of the property for access to the shed. Ms. Wollmuth said they could but that approval of it would be up to the City Traffic Engineer.

Ms. Wollmuth also provided the board members with comments submitted by one of Mr. Ellwein's neighbors in support of his request. These comments are attached as Exhibit A.

**MOTION:** A motion was made by Ms. Clark to approve the variance to reduce the required front yard setback along the northwest side of his property, adjacent to Niagara Drive, from twenty-five (25) to three (3) feet in order to construct an accessory building, with the condition that it does not exceed 14 feet wide and 12 feet long with an 8 foot side wall. The motion was seconded by Mr. Seifert. With Board Members Clark, Heier, Hoff, Seifert and Marback

voting in favor of the motion, the motion was approved and the variance request was approved.

## **OTHER BUSINESS**

Mr. Marback said he noticed buildings that have gone up on South 22<sup>nd</sup> Street that appear to have parking issues and no variance was granted.

Mr. Blaskowski said the property did go through the site plan approval process and that the sight triangle was acceptable according the proposed site plan.

Ms. Wollmuth reminded the board members that their motions should include modifications to the findings in the staff report.

Chairman Marback said the strip mall near the north Walmart is changing ownership and asked if the common use parking agreement would stay with the property or change when ownership changes. Mr. Blaskowski said it would stay with the property regardless of the owner.

## **ADJOURNMENT**

There being no further business, Chairman Marback declared the meeting of the Bismarck Board of Adjustment adjourned at 5:16 p.m. to meet again on August 7, 2014.

Respectfully Submitted,

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Hilary Balzum  
Recording Secretary

APPROVED:

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Michael Marback, Chairman



**Hilary Balzum**

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**From:** Sandra Bogaczyk  
**Sent:** Monday, July 07, 2014 2:23 PM  
**To:** Jenny Wollmuth  
**Cc:** Hilary Balzum  
**Subject:** FW: 1018 Calvert zoning variance

The following is from the CoB email:

**From:** Chris Roemmich [REDACTED]  
**Sent:** Monday, July 07, 2014 11:04 AM  
**To:** cobplan  
**Subject:** Re: 1018 Calvert zoning variance

I live next door to Nathan Ellwein, and I'm writing to support the approval of the variance request for 1018 Calvert Dr in regards to the location of a storage shed. With the slope and utility lines for the property, the proposed shed location is the only realistic possibility. The side of the yard is adjacent to a higher traffic street with no nearby driveways or front yards. The shed would also largely be screened by the existing fence.

Nate keeps his house and lot very well maintained and I'm certain any addition would be kept in similar condition and not cause any negative impact to the surrounding neighborhood.

Sincerely,  
Chris Roemmich